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PATENT & TRADEMARK OFFICE

Customer No. 26308

IFW
PATENT

Attorney Docket No. 1217.18404

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Jensen et al.	Group Art Unit: 3673
Serial No:	10/671,910	Examiner: Unknown
Filed:	9/29/2003	
For:	Stirrup Support Indexer for a Medical Examination Table	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE MAILING DATE OF EITHER A FINAL ACTION OR NOTICE OF ALLOWANCE (37 CFR 1.97(c))

NOTE: "An information disclosure statement shall be considered by the Office if filed ... before the mailing date of either (1) a final action under S 1.113 or (2) a notice of allowance under S 1.311, whichever occurs first, provided the statement is accompanied by either a certification as specified in paragraph (e) of this section or the fee set forth in S 1.17(p)." 37 CFR 1.97(c).

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "If information submitted during the period set forth in 37 CFR 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, [i]f the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 CFR 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A PETITION FOR SUSPENSION OF ACTION TO ALLOW APPLICANT TIME TO SUBMIT AN INFORMATION DISCLOSURE STATEMENT WILL BE DENIED AS FAILING TO PRESENT GOOD AND SUFFICIENT REASONS, SINCE 37 CFR 1.97 PROVIDES ADEQUATE RECOURSE FOR THE TIMELY SUBMISSION OF PRIOR ART FOR CONSIDERATION BY THE EXAMINER." NOTICE OF JULY 6, 1992 (1141 O.G. 63).

TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

1. The information disclosure statement transmitted herewith is being filed AFTER THREE MONTHS OF THE FILING DATE OF THIS NATIONAL APPLICATION OR THE DATE OF ENTRY OF THE NATIONAL STAGE AS SET FORTH IN S 1.491 IN AN INTERNATIONAL APPLICATION OR AFTER THE MAILING DATE OF THE FIRST OFFICE ACTION ON THE MERITS, WHICHEVER EVENT OCCURRED LAST BUT BEFORE THE MAILING DATE OF EITHER:

 (1) a final action under § 1.113 or
 (2) a notice of allowance under § 1.311,
 whichever occurs first.

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, with sufficient postage, in an envelope addressed as follows: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on 2/8/2005.

02/14/2005 HDEMESS1 00000039 10671910

01 FC:1806 180.00 OP

Julie A. Wolf
Signature of Person Signing

Julie A. Wolf

Type or Print Name of Person Signing

CERTIFICATION OR FEE

2. Accompanying this transmittal is
(check either A or B below)

A. [] a certification as specified in 37 CFR 1.97(e)

OR

B. [X] the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under S 1.97(c). ($180.00).

FEE PAYMENT

(complete this item, if applicable)

3. Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under S 1.97(c) ($180.00).

Fee due $ 180.00

METHOD OF PAYMENT OF FEE

4. [X] Attached is check in the amount of $ 180.00

[] Charge Account No. ___ in the amount of $
A duplicate of this request is attached.

The submission of any document herewith is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima face* prior art reference against the claims of the present application.

If any additional fees are due, please charge Account No. 06-2360 .

Reg. No. 38,957

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Signature of Attorney

John M. Manion

Type or Print Name of Attorney of Record

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LIST OF PRIOR ART CITED BY APPLICANT *(Use several sheets if necessary)*	ATTY DOCKET NO. 1217.18404	SERIAL NO. 10/671,910
Customer No. 26308	APPLICANT Jensen et al.	
	FILING DATE 9/29/2003	GROUP 3673

OIPE JC16 FEB 11 2005 PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
	6,505,364	1/14/2003	Simmons et al.			
	4,872,656	10/10/1989	Brendgord et al.			
	4,989,848	2/5/1991	Monroe			
	3,947,686	3/30/1976	Cooper et al.			
	D496,462	9/21/2004	Walters et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes No

OTHER PRIOR ART (*Including Author, Title, Date, Pertinent Pages, Etc.*)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this of with next communication to applicant.